

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOHN LECHER-ZAPATA,

Plaintiff,

vs.

PETE RICKETTS, Governor of the
State of Nebraska and DOUG
PETERSON, Attorney General for the
State of Nebraska,

Defendants.

4:17-CV-3076

ORDER

This matter is before the Court on the plaintiff's motion for an extension of time to respond to the defendant's request for sanctions. [Filing 18](#). The plaintiff's motion will be granted in part, as described below.

The plaintiff, John Lecher-Zapata, alleges constitutional violations against Nebraska Governor Pete Ricketts and Nebraska Attorney General Doug Peterson. [Filing 1 at 1](#). On July 25, 2017, the defendants filed a motion to dismiss the plaintiff's complaint under Fed. R. Civ. P. 12(b)(1) and 12(b)(6). [Filing 8 at 1](#). Then, on August 17, the defendants filed a motion for sanctions under Fed. R. Civ. P. 11, seeking payment from the plaintiff of "part or all of the reasonable attorney's fees and other expenses" resulting from this litigation. *See*, [filing 16](#); [filing 17 at 5](#).

The plaintiff, in his current motion, has two requests of the Court. First, he requests that the Court stay its consideration of the Rule 11 motion until after it has resolved the defendants' motion to dismiss. Second, he seeks an additional 60 days from the time the Court rules on the defendants' motion to dismiss to respond to the defendants' motion for sanctions.

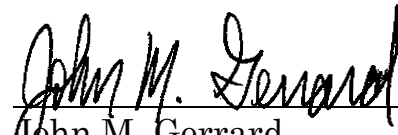
The plaintiff's request for additional time to respond to the defendants' motion for sanctions will be granted. But the Court need not set an official briefing schedule at this point. Rather, the Court will provide the parties further instruction on the defendants' Rule 11 motion when it rules on the pending motion to dismiss. In other words, if a response is required, the plaintiff will be notified of that fact, and provided sufficient time to present his arguments. But in the meantime, the plaintiff's response, to the extent he intends to file one, is not necessary.

IT IS ORDERED:

1. The plaintiff's motion for an extension of time ([filing 18](#)) is granted as set forth above.
2. The Clerk of the Court shall mail a copy of this Order to plaintiff's address of record.

Dated this 1st day of September, 2017.

BY THE COURT:



John M. Gerrard
United States District Judge